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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,179	02/01/2002	Jens U. Quistgaard	019162-003110US	1680

29053 7590 04/30/2004

DALLAS OFFICE OF FULBRIGHT & JAWORSKI L.L.P.  
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SUITE 2800  
DALLAS, TX 75201-2784

EXAMINER

JAWORSKI, FRANCIS J

ART UNIT	PAPER NUMBER
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3737

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/062,179

Applicant(s)

QUISTGAARD ET AL.

Examiner

Jaworski Francis J.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 30 Day MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-75 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Election/Restrictions*

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1 - 11, drawn to Handheld Combined B-Mode and Doppler Scanning System, classified in class 600, subclass 441.
- II. Claims 12-32, 37-38, drawn to Diagnostic Instrument with ECG Module , classified in class 600, subclass 513.
- III. Claims 33 -34, drawn to ECG Power Supply, classified in class 600, subclass 509
- IV. Claims 35-36, drawn to Power Supply Isolation Control Interface with Chopping Circuitry, classified in class 327, subclass 124.
- V. Claims 39-40, drawn to Spectral Doppler Analysis Method , classified in class 600, subclass 457.
- VI. Claims 41-75, drawn to Keycode and Encryption System Control and Software, classified in class 705, subclass 50.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II, VI (apparatus portion) are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, inventions II, VI have separate utility such as in a general ultrasound imaging system not involving combined Doppler and B-mode scanning and each is distinct from the

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other since encryption keycoding may be involved wherever there is access security or subscriber selection and unrelated to ECG module attachment.; similarly the method claim set regarding keycode encryption could be generally applicable beyond B-mode/Doppler and would be distinct from spectral Doppler methodology of Group V although usable together within the system. Analogously inventions III and IV are applicable as power supply and power supply interface circuitry to ECG systems not involved with ultrasound scanning, and are distinct from each other insofar as the power interface can provide patient isolation apart from use with the particular ECG power supply claimed. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and for example the search required for Group I in harmonic contrast 600/458 and for Group III in 323/911 medical electronics is not required for remaining Groups, restriction for examination purposes as indicated is proper.

A telephone call was made to Ross Viguet of Fulbright and Jaworski on 4/13/04 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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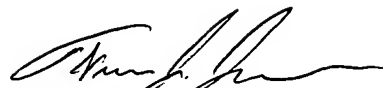
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Any inquiry concerning this communication should be directed to Jaworski  
Francis J. at telephone number 703-308-3061.

FJJ:fjj

4-29-04



Francis J. Jaworski  
Primary Examiner